

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 04-02-03**

Date Published: January 29, 2004
For Work Week Commencing: February 2, 2004
Commission Meeting: February 3, 2004, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Steve Vick at (406) 444-6187. He may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. MDU Resources Group, Inc. D2004.1.4 (Eric)

On January 16, 2004, MDU applied for authority to issue an additional 1.5 million shares of the Company's Common Stock to be issued from time to time in connection with the Company's Option Award Program. In Docket No. D99.12.285, Default Order No. 6222, the Commission authorized the Company to issue up to 420,000 shares of Common Stock for this program. The Company requests that the authorization requested in the filing permit the Company to issue and sell the Common Stock from time to time, in one or more transactions, until all the shares specified in this application have been issued. A default order has been drafted.

2. Sprint Communications Co. N2004.1.9 (Scott)

On January 20, 2004, Sprint filed a change to its Price List No. 1. The purpose of this filing is to remove Monthly Recurring Charge (MRC) from tariff and replace it with the sentence pointing to the interstate rates and conditions web address.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2003.10.153 – Montana Consumer Counsel – QCC Tariff Filing. (2/3/04)
2. D2003.8.101 – Havre Pipeline Company - Application to Increase Rates to Direct Rural Farmstead Customers. (2/3/04)
3. NorthWestern Energy – Default Electricity Supply Resource Procurement Plan. (2/3/04)
4. NorthWestern Energy – NorthWestern Energy's Proposal for Independent Audit of T&D Infrastructure, Service Quality. (2/3/04)
5. NorthWestern Energy – Placeholder to Get Direction on Any Matter Related to the Bankruptcy. (2/3/04)
6. Executive Planning for 2005 Session, FY 04 Budget. (2/3/04)
7. **2/4/04 10:00 a.m.** – D2003.7.87 – AG / Flathead Electric / Roes – Petition of AG et al. for PSC to Open an Investigation of Possible Manipulation of Western Energy Markets, to Order Refunds, Revoke Licenses, etc. (2/4/04)
8. **2/5/04 9:00 a.m.** - D2002.12.153 – Qwest Long Distance (QLD) – To Discuss and Get Final Direction as Necessary on a Draft Final Order. (2/5/04)

Other Meetings

2/3/04 1:00 p.m. – NorthWestern Energy Presentation - Default Procurement Plan

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.state.mt.us/PublicComment/PublicComment.htm>. Comments should reference the docket number of the matter.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2004.1.10 – Mountain Water Co. – Request for Authority to Deviate from Its Tariffs in Order to Adjust the July Bill for the U.S. Army Cemetery Irrigation Account

D2004.1.11 – Qwest – Type 1 and Type 2 Paging Interconnection Agreement between Qwest and Aircall, Inc.

D2004.1.12 – Qwest – Application for Approval of Resale Agreement between Qwest and Rough Rider Telco

D2004.1.13 – Qwest - Qwest Corp. and Sprint Communications Co. L.P. Agreement for Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunications Services

D2004.1.14 – PSC – Notice of Opportunity to Submit Written Comment and to Participate in Roundtable Discussion Resulting from the Supreme Court Decision on Great Falls Tribune v. Montana PSC and Montana Power Company (NorthWestern Energy)